



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

April 25, 2017

DIANE GUBELLI, TREASURER
INDEPENDENCE USA PAC
P.O. BOX 1510
NEW YORK, NY 10150

Response Due Date
05/30/2017

IDENTIFICATION NUMBER: C00532705

REFERENCE: AMENDED SEPTEMBER MONTHLY REPORT (08/01/2016 - 08/31/2016),
RECEIVED 10/20/2016

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 4 item(s):

1. Your committee has filed 48 hour reports for an independent expenditures supporting "PATRICK JOSEPH TOOMEY" (see attached) which have not been itemized on Schedule E supporting Line 24 of the Detailed Summary Page. Please be advised that independent expenditures disclosed on 48 hour reports must also be itemized on a corresponding Schedule E or MEMO Schedule E and Schedule D (if applicable), in the appropriate reporting period. Further, if the actual payment(s) for the independent expenditure(s) occurs after the date of dissemination, the appropriate report(s) should continue to show payment on Schedule E and Schedule D, until the debt is fully extinguished. Please amend your report and any subsequent reports that may be affected by this correction. (11 CFR §104.4)

2. Schedule E of your report indicates that your committee may have failed to file one or more of the required 48 hour report(s) for independent expenditures (see attached). A political committee must file a 48 hour report with the Federal Election Commission as specified in 11 CFR §104.4(b), within 48 hours of any independent expenditures aggregating \$10,000 or more with respect to a given election, made any time during the calendar year up to and including the 20th day before an election. The report must be received by the Commission by 11:59 p.m. on the second day following the date on which independent expenditures that aggregate \$10,000 or more are publicly distributed or disseminated. These expenditures must then be fully itemized on Schedule E, or as memo entries on

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Schedule E and reflected on Schedule D if distributed or disseminated prior to payment, of the next report required to be filed by the committee. Although the Commission may take further action concerning this matter, your prompt response will be taken into consideration. (11 CFR §104.3(b))

3. Schedule D supporting Line 10 of your report discloses debts incurred this period totaling \$69,703.50 owed to "SKDKnickerbocker" for apparent independent expenditures. However, a MEMO Schedule E has not been provided. Please be advised that if a communication is aired in one reporting period and the payment is made in a later reporting period, the independent expenditure should be reported as a memo entry on Schedule E when the communication is publicly disseminated or distributed, and on a Schedule D if it is a reportable debt under 11 CFR §104.11. Subsequently, when the payment for the independent expenditure is made, the report should show a payment on Schedule E and the same payment on Schedule D, if applicable. Please amend your report to clarify this apparent discrepancy or provide clarifying information regarding the nature of this debt. (11 CFR §104.4)

4. Your amended report discloses an increase in debts owed to one or more vendors totaling \$161,705.46 from the amounts disclosed on your original report. Please amend your report or provide clarifying information as to why this activity was not disclosed on your original report. (11 CFR § 104.3)

- On Schedule E of your report you have disclosed a transaction(s) for \$0.00. For your information and consideration when preparing future filings, only transactions with an actual monetary value should be itemized on your report. If the amount for this transaction(s) was entered in error, please amend your report to include the correct amount(s). (11 CFR §104.3)

- Schedule B of your report discloses an expenditures for "Media Consulting." For your information and consideration when preparing future filings, if a portion or all of these expenditures were for public communications (as defined by 11 CFR §100.26) containing express advocacy as defined under 11 CFR §100.22, this would constitute an independent expenditure and would be disclosed on a Schedule E supporting Line 24. Public communications that refer to a clearly identified Federal candidate, but that do not expressly advocate the election or defeat of that candidate would be reported on Schedule B for Line 21(b) of the Detailed Summary Page.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will

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be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For additional information about the report review process or specific filing information for your committee type, please visit the Reports Analysis Division's Frequently Asked Questions on the FEC website. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1136.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Rebollozo", written in a cursive style.

Joshua Rebollozo
Campaign Finance Analyst
Reports Analysis Division

Missing Schedule E (48 Hour Report)
Independence USA PAC (C00532705)

Name of Payee	Dissemination Date	Amount	Candidate	Election
Michael R. Bloomberg	8/3/16	\$25,500.00	PATRICK JOSEPH TOOMEY	G2016
Michael R. Bloomberg	8/3/16	\$78,000.00	PATRICK JOSEPH TOOMEY	G2016
Michael R. Bloomberg	8/12/16	\$25,500.00	PATRICK JOSEPH TOOMEY	G2016
Revolution Media Group LLC	8/12/16	\$22,000.00	PATRICK JOSEPH TOOMEY	G2016
Revolution Media Group LLC	8/12/16	\$9,646.21	PATRICK JOSEPH TOOMEY	G2016

Missing 48 Hour Report (Schedule E)
Independence USA PAC (C00532705)

Name of Payee	Dissemination Date	Amount	Candidate	Election
Revolution Media Group LLC	8/3/16	\$4,988.00	TOOMEY, PATRICK JOSEPH	G2016
Revolution Media Group LLC	8/3/16	\$18,206.00	TOOMEY, PATRICK JOSEPH	G2016
Revolution Media Group LLC	8/12/16	\$3,005.70	TOOMEY, PATRICK JOSEPH	G2016